

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PENNAR SOFTWARE CORPORATION,	:	CIVIL ACTION NO. 1:02-CV-0413
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
FORTUNE 500 SYSTEMS, LTD.,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 19th day of January, 2006, upon consideration of plaintiff's affidavit (Doc. 235), untimely filed on January 17, 2006, in response to the order of court dated January 6, 2006 (Doc. 231), see id. (directing plaintiff to file the affidavit "[o]n or before January 13, 2006"), and of Attorney Karim P. Husain's ("Attorney Husain") motion (Doc. 233) to hold briefing on a pending motion to dismiss in abeyance, and it appearing that plaintiff's affidavit was filed under seal and not served upon Attorney Husain, and the court finding that a hearing on the motion to dismiss and on Attorney Husain's pending motion to withdraw (Doc. 226) would be in the interests of justice, it is hereby ORDERED that:

1. The Clerk of Court is directed to send, via U.S. mail, a copy of plaintiff's affidavit (Doc. 231) to Attorney Karim P. Husain.
2. On or before January 27, 2006, Attorney Karim P. Husain shall be permitted to file, UNDER SEAL AND SUBJECT TO THE PENALTIES OF PERJURY, an appropriate response to the affidavit, and shall cause a copy of the response to be served on plaintiff.
3. The motion (Doc. 233) to hold briefing in abeyance is GRANTED.

- a. Briefing on the motion to dismiss (Doc. 231) is STAYED.
- b. Counsel for defendant, Craig R. Shagin, Esquire, counsel for plaintiff, Karim P. Husain, Esquire, and a representative of plaintiff with personal knowledge of the factual issues implicated by the pending motions (Docs. 226, 231) are ATTACHED for a hearing on the motions, which shall commence at 10:00 a.m. on Tuesday, February 14, 2006, in Courtroom No. 2, Ninth Floor, 228 Walnut Street, Harrisburg, Pennsylvania.

/s/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge